

NATIONAL RECOVERY ADMINISTRATION

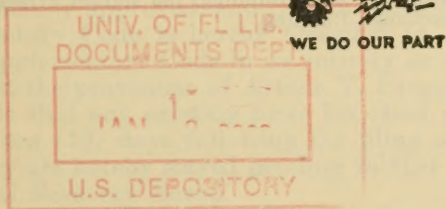
AMENDMENT TO SUPPLEMENTARY
CODE OF FAIR COMPETITION

FOR THE


STEEL PACKAGE
MANUFACTURING INDUSTRY

(A Division of the Fabricated Metal Products
Manufacturing and Metal Finishing
and Metal Coating Industry)

AS APPROVED ON APRIL 13, 1935



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AMENDMENT TO CODE OF FAIR COMPETITION
FOR THE
STEEL PACKAGE MANUFACTURING INDUSTRY

As Approved on April 13, 1935

ORDER

APPROVING AMENDMENT OF SUPPLEMENTARY CODE OF FAIR COMPETITION FOR THE STEEL PACKAGE MANUFACTURING INDUSTRY

A DIVISION OF THE FABRICATED METAL PRODUCTS MANUFACTURING AND METAL FINISHING AND METAL COATING INDUSTRY

An application having been duly made pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for approval of an amendment to the Supplementary Code of Fair Competition for the Steel Package Manufacturing Industry and a Notice of Opportunity to be Heard having been duly given thereon, and the annexed report on said amendment containing findings with respect thereto, having been made and directed to the President:

NOW, THEREFORE, on behalf of the President of the United States, the National Industrial Recovery Board, pursuant to authority vested in it by Executive Orders of the President, including Executive Order No. 6859, dated September 27, 1934, and otherwise, does hereby incorporate by reference said annexed report and does find that said amendment and the Supplementary Code as constituted after being amended comply in all respects with the pertinent provisions and will promote the policy and purposes of said Title of said Act, and does hereby order that said amendment be, and it is hereby approved, and that the previous approval of said Supplementary Code is hereby amended to include an approval of said Supplementary Code in its entirety as amended; provided, however, that the provisions of Article V, Paragraph A, insofar as they provide that any existing price list shall remain in effect for a period of ten (10) days following the filing of a revised price list, be and they are hereby stayed pending further order of the National Industrial Recovery Board.

NATIONAL INDUSTRIAL RECOVERY BOARD,

By W. A. HARRIMAN, *Administrative Officer*.

Approval recommended:

JOHN W. UPP,

Acting Division Administrator.

WASHINGTON, D. C.,

April 13, 1935.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: This is a report on the Amendment to the Supplementary Code of Fair Competition for the Steel Package Manufacturing Industry, a division of the Fabricated Metal Products Manufacturing and Metal Finishing and Metal Coating Industry, to incorporate provisions whereby members of the Steel Package Manufacturing Industry are prohibited from quoting prices or offering to sell on terms which are inconsistent with their open filed prices. The Amendment has been submitted in accordance with the provisions of Section 2 of Article VI of the Supplementary Code and Notice of Opportunity to be Heard was published on March 16, 1935, for a period of twenty (20) days.

FINDINGS

(a) The Amendment is well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act, including the removal of obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof, and provide for the general welfare by promoting the organization of industry for the purpose of cooperative action among trade groups, by inducing and maintaining united action of labor and management under adequate governmental sanction and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of industries, by avoiding undue restriction of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products through increasing purchasing power, by reducing and relieving unemployment by improving standards of labor, and by otherwise rehabilitating industry.

(b) The Supplementary Code, as amended, complies in all respects with the pertinent provisions of said Title of said Act, including without limitation, Subsection (a) of Section 3, Subsection (a) of Section 7, and Subsection (b) of Section 10 thereof.

(c) The Supplementary Code empowers the Agent of the Supplementary Code Authority to present the aforesaid Amendment on behalf of the Industry as a whole.

(d) The Amendment as proposed will tend to eliminate certain practices which are unjustifiable and not in accordance with the purposes of the National Industrial Recovery Act; specifically, to prohibit the quotation or the discussion of terms by a member of the Industry with a customer which are inconsistent with the prices filed by him pursuant to the provisions of Article V, Rule A, of the Supplementary Code.

(e) The Amendment is not designed to change the fundamental economic condition of the Industry or obstruct any sound economic practices in the Industry, but is intended to further the economic progress of any member of the Industry and others directly or indirectly concerned.

(f) The Amendment and the Supplementary Code as amended are not designed to permit monopolies or monopolistic practices.

(g) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said Amendment.

For these reasons, therefore, this Amendment has been approved.
For the National Industrial Recovery Board:

W. A. HARRIMAN,
Administrative Officer.

APRIL 13, 1935.

AMENDMENT TO SUPPLEMENTARY CODE OF FAIR COMPETITION FOR THE STEEL PACKAGE MANU- FACTURING INDUSTRY

A DIVISION OF THE FABRICATED METAL PRODUCTS MANUFACTURING AND
METAL FINISHING AND METAL COATING INDUSTRY

Amend: Rule A—Article V.

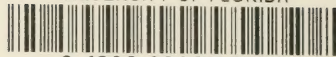
Include the following as a new paragraph under Rule A, Article V, following the fourth paragraph of Rule A which deals with the subject of filing price lists:

No member of the Industry shall sell or exchange, or offer to sell or exchange, any products of the Industry for which prices and other conditions of sale have been filed by him pursuant to the provisions of this Article, except in accordance with such prices and other conditions of sale.

Approved Code No. 84Y—Amendment No. 1.
Registry No. 1136-08.

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